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8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 LEANNA MILLIGAN, individually,

11 Plaintiff,

12 vs.

13 WAL-MART STORES, INC. d/b/a SAM'S
14 CLUB #6257; SAM'S WEST, INC. d/b/a
15 SAM'S CLUB #6257; SAM'S REAL
ESTATE BUSINESS TRUST; CYNTHIA
16 GUERRA; JOHN DOE and/or JANE DOE;
DOES I through X and ROE
17 CORPORATIONS I through X, inclusive,

18 Defendants.
19

Case No.: 2:14-CV-01739-JCM-CWH

**STIPULATED DISCOVERY PLAN AND
SCHEDULING ORDER PURSUANT TO
FRCP 26(f) AND LR 26-1(d)**

20 The parties submit the following Stipulated Discovery Plan and Scheduling Order
21 pursuant to LR 26-1 and Fed. R. Civ. P. 26(f):

22 1. On September 25, 2014, LEANNA MILLIGAN ("Plaintiff") filed her Complaint
23 in District Court, Clark County of the State of Nevada.

24 2. On September 26, 2014, Plaintiff served Defendants WAL-MART STORE,
25 INC., d/b/a SAM'S CLUB #6257; SAM'S WEST, INC. d/b/a SAM'S CLUB #6257; SAM'S
26 REAL ESTATE BUSINESS TRUST; and CYNTHIA GUERRA ("Defendants") with a copy of
27 the Summons and Complaint.
28

4. Defendants filed their Certificate of Interested Parties. On November 3, 2014 Plaintiff filed her Certificate of Interested Parties.

Pursuant to F.R.C.P. 26(f), on Monday, November 24, 2014, counsel for the parties conferred to develop a proposed discovery plan. The conference was held by ELIZABETH E. COLEMAN, ESQ. of NAQVI INJURY LAW on behalf of Plaintiff LEANNA MILLIGAN, and BRENDA ENTZMINGER, ESQ. of PHILLIPS, SPALLAS & ANGSTADT on behalf of Defendants.

The proposed last day of discovery shall be **May 22, 2015**, which is within 180 days from the date of the FRCP 26(f) conference held on **November 24, 2014**. The parties request additional time to conduct discovery due to the nature and extent of claimed damages.

The parties shall have until **February 20, 2015** to file any motion to amend the pleadings or to add parties. This is within 90 days before the proposed discovery cutoff date.

Disclosure of experts shall proceed according to F.R.C.P. 26(a)(2) except that, pursuant to LR 26-1 (e)(3):

(b) The disclosure of rebuttal experts shall occur on **April 22, 2014**, which is 30 days after the initial disclosure of experts.

1 **4. Interim Status Report [LR 26-3]:**

2 The Interim Status Report is due on **March 23, 2015**, which is 60 days before the
3 discovery cutoff.

4 **5. Dispositive Motions [LR 26-1 (e)(4)]:**

5 The parties shall have until **June 22, 2015** to file dispositive motions, which is 30
6 days after the proposed discovery cutoff date.

7 **6. Pre-Trial Order [LR 26-1 (e)(5)]:**

8 (a) The joint pre-trial order shall be filed by **July 22, 2015**, which is 30 days after
9 the date set for filing dispositive motions.

10 (b) If a dispositive motion is timely filed, this deadline is suspended until 30 days
11 after decision of the dispositive motion or further order of the Court.

12 **7. Rule 26(a)(3) Disclosures [LR 26-1 (e)(6)]:**

13 Unless otherwise directed by the Court, pretrial disclosures as set out in
14 F.R.C.P.26(a)(3) shall be made at least 30 days before trial. Within 14 days
15 thereafter, unless a different time is specified by the Court, a party may serve and file
16 a list disclosing any objections as set out in F.R.C.P. 26(a)(3).
17

18 **8. Pre-Discovery Disclosures**

19 The parties will exchange the information required by F.R.C.P. 26(a)(1) and LR 26-
20 1(d) on or before **December 8, 2014**.

21 **9. Discovery Plan**

22 The parties jointly propose to the Court the following discovery plan:

23 (a) Written discovery and depositions as allowed under the F.R.C.P. and then a
24 mandatory settlement conference or mediation if the parties are so inclined at
25 that juncture.

26 (b) Discovery will be needed on the following subjects:

27 i. Damages.

28 ii. Liability

(c) All discovery shall be commenced in time to be completed by the discovery cutoff date of **May 22, 2015**.

10. Pre-Trial Conference

Unless otherwise directed by the Court, the parties do not request a pre-trial conference with the Court before entry of the scheduling order.

11. Additional Parties

The parties shall have until **February 21, 2015** to file any motion to amend the pleadings or to add parties. This is 90 days before the proposed discovery cutoff date.

12. Settlement

The parties will make every effort prior to substantial completion of discovery and are open to engaging in mediation in the future.

13. F.R.C.P. 26(3) Disclosures

Final lists of witnesses and exhibits under F.R.C.P. 26(a)(3) shall be included in the pre-trial order. The parties shall have 15 days after service of final lists of witnesses and exhibits to list objections under F.R.C.P. 26(a)(3).

DATED this 3rd day of December, 2014.

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PERSONAL INJURY OF NEVADA

PHILLIPS, SPALLAS & ANGSTADT,
LLC.

/s/Elizabeth Coleman

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